

SENATE BILL REPORT

SB 6013

As Reported By Senate Committee On:
Human Services & Corrections, February 23, 2007

Title: An act relating to state institutions.

Brief Description: Creating the institutions review commission.

Sponsors: Senator Hargrove.

Brief History:

Committee Activity: Human Services & Corrections: 2/22/07, 2/23/07 [DPS-WM].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: That Substitute Senate Bill No. 6013 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Marr and McAuliffe.

Staff: Shani Bauer (786-7468)

Background: Washington has numerous state institutions created in statute for various purposes, including residential habilitation centers that provide care to children and adults with developmental disabilities; forest camps, community and group homes for juvenile offenders; correctional facilities for adult offenders; state hospitals; and schools for the deaf and blind.

There is no comprehensive or formally structured review process to consider such aspects as whether the facility has excess capacity, whether the facility is in need of repair or renovation, the proximity of the facility to state population centers and supporting services, and the overall best and highest use of the institution's property.

Summary of Bill: The Institutions Review Commission is established to review the effectiveness and need for state institutions. State institutions are defined as residential habilitation centers, state institutions for juvenile offenders, state hospitals, the State School for the Deaf, the State School for the Blind, the Department of Corrections, the Department of Veterans Affairs, and facilities associated with the Washington National Guard Youth Challenge Program.

The Commission is composed of nine members, one each from the two largest caucuses of each house of the Legislature and five members appointed by the Governor. State officials, public employees, lobbyists and their representatives and immediate family members are

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ineligible for appointment as well as persons who reside in a legislative district where an institution that is scheduled for review is located.

Commissioners may not receive compensation for their services but must receive a subsistence allowance and travel expenses.

The Commission is required to investigate and make determinations regarding an institution's efficiency utilizing specified criteria and must conduct at least one public hearing regarding each institution. At the end of each even-numbered year, the Commission is required to provide a recommendation to the Governor and the Legislature as to whether the institutions reviewed should be consolidated, expanded, closed, replaced, or retained.

The Commission will follow a biennial review cycle. During the 2007-08 review cycle, the Commission must review the State School for the Blind and the State School for the Deaf. All state institutions must be reviewed at least once during the first five consecutive review cycles.

The Commission is given the power and duties to employ staff or contract for the services necessary to carry out its responsibilities.

EFFECT OF CHANGES MADE BY RECOMMENDED SUBSTITUTE AS PASSED COMMITTEE (Human Services & Corrections): Limitations as to who can be appointed as a member of the Institutions Review Commission are removed including: (1) persons who reside in a legislative district where an institution is scheduled for review; and (2) state officials, public employees, representatives of unions, lobbyists, or immediate family members of any of those individuals to be appointed as a member of the commission.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: Yes.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: CON: This is viewed as a closure bill, particularly geared toward closing residential habilitation centers. These centers are needed and closure or movement is very disruptive to the population who live in the centers. These centers are not institutions and should be removed from the bill. Objections were voiced that those interested in the institution or who live in the area cannot serve on the commission. Membership should follow the same model as the Pension Policy Council. More public hearings and more dialogue with workers is needed in the review process.

OTHER: The current system is not working to ensure that residential habilitation centers meet the needs of the developmentally disabled. For this reason, we support the concept the bill is trying to address. The commission should look at the needs of individuals. This bill requires the commission to make a recommendation to the legislature who is the final decision-making body. This is an improvement over the House bill.

Persons Testifying: CON: James Hardman, Friend of Fircrest; Bill Anderson, Parent; Greg Devereux, WA Federation of State Employees; Terri Anderson, Voice of the Retarded; Bob Gee, Parent; Rick Jensen, Maureen Durkan, Dawayne Huffaker, Action.

OTHER: David Lord, WA Protectant Advocacy System; Jason Pelerine, South Advocates in Leadership; Sue Elliott, Arc of West.